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Greedy and Generous Associates

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A recent review of my bookmarked Web sites offered an interesting contrast in sites geared towards associates. Immediately following the site greedyassociates.com appeared the antithetically named site generousassociates.com. What, if anything, do these seemingly polar opposite sites have in common or even say about our profession? Do most of us identify with one or the other or are they just oversimplified descriptions designed to attract associates surfing the Web?

Greedyassociates began as a forum for associates at primarily large law firms to vent and share information about salaries, bonuses and law firm gossip. Prior to Web sites and e-mail, this type of information traveled by way of telephone -- usually from one law school classmate to another. The anonymous message board on greedyassociates has dramatically expanded that network, and now information about the latest salary increase or layoffs is shared instantaneously with thousands of associates throughout the country. The site has grown beyond its original format and now includes job postings, legal information and book recommendations. However, the message board remains one of its more compelling features. Today, the postings often have less to do with "greed" and more about world affairs, political opinions and advice to young associates and law students.

Generousassociates is a Washington, D.C.-based Web site that enables lawyers to make a donation to the Legal Aid Society of D.C. The site sets forth information about the Legal Aid Society and the amounts donated by associates and area law firms. Through the Web site, a total of 1,634 associates donated nearly \$200,000 to Legal Aid in 2002. In addition, area law firms contributed over \$100,000 through matching funds. It is a model for raising money for legal aid programs that could, and should, be replicated throughout the country.

As a frequent visitor to each site, I believe that they reflect the complexity of being a lawyer and the challenges of juggling financial success and public service. Although at first glance it might appear that they represent a clear choice between selfishness and generosity, these two sites and the underlying issues they address, are inextricably linked. The ultimate success of generousassociates or any other cause supported by the legal profession depends, in part, upon the financial success of the lawyers and law firms who support those causes. Just as important, a program such as the one featured on generousassociates relies on the generosity of those same lawyers who may be more focused on the issues found at greedyassociates. As many firms have shown by their ranking at the top of the *American Lawyer* survey in both profits and pro bono, it is possible to do well and do good at the same time.

This healthy co-existence between "greed" and "generosity" has at times been lost on associates. The most glaring example is in regard to the mixed signals that associates may get concerning pro bono. While some associates enjoy widespread support from their firm for volunteering, others get the feeling that pro bono participation may be seen as evidence of a lack of interest in a law firm career.

A brief review of the pro bono messages posted on greedyassociates reveals the depth of the disparity. One associate who obviously had a positive association with pro bono implored others to "take on some pro bono matters. There's no reason to have nothing to do when there's an endless amount of pro bono work out there and maybe you will get a chance to learn something that you wouldn't get a chance to otherwise." Those comments were echoed by another individual who advised first years that "if there aren't enough billable tasks, figure out something else to do. Take on pro bono work (at least you'll ingratiate yourself with the partner who does pro bono)."

Another posting stated "there is a tremendous amount of pro bono work done at BIGLAW (large law firms) in civil rights matters. Often just a few associates and partners shoulder the bulk of pro bono work at BIGLAW, therefore they like to see people who want to do lots of pro bono. Some firms even give billable credit for pro bono work (yeehaaa)."

An associate speaking to transactional lawyers advised them that "there is an infinite amount of pro bono work out there (transactional stuff for not for profits, etc.) that can keep people busy with the remaining hours in their day." A litigation associate suggested to others that "one thing I have seen regarding experience is that the younger associates who are motivated to do pro bono work, and actually get trial/court experience that way, do get rewarded with more significant work assignments for their efforts earlier in their careers. At least that is true in the big NYC firm where I practice."

LACK OF SUPPORT

However, there were an equal number of messages expressing concern over the lack of support for pro bono, especially during a slow economy. As Vice President Dick Cheney would say, this is "unvarnished" information so it's not always pretty. One associate's message read, "keeping associates around for a few slow months does not mean that they will necessarily be twiddling their thumbs. A smart firm will have these people working on pro bono matters, writing articles ... " This person went on to ask, "Has anyone seen the AMLAW 200 pro bono ranking recently? Many of these same firms that are talking about firing people are pretty much the same firms with pathetic pro bono programs. If they are so slow right now, that's pretty sad that they'd rather have people doing little or nothing than working on a pro bono matter."

Another associate concurred, stating, "Rather than using this excess capacity as an opportunity to rev up their pathetic pro bono programs and give something back to the community for a few months, they fire people and protect the bottom line."

On a site dedicated to "greedy" associates, it is heartening to see so much discussion about some very non-greedy subjects such as pro bono. Not even law schools are spared from criticism, as one prospective law student is advised that "law schools, the ABA and other groups scream that it seems that young lawyers only care about money. It seems that young lawyers only want to work for firms that pay top dollar. It seems that pro bono, government work, and community service is going out the window. But guess what? Rack up a \$100k in student loans that require about \$1000 a month or more payments and you too will care about money."

COMMON PERCEPTION

Despite a common perception that would place most lawyers in the greedy associates category, the legal profession is probably more generous than just about any other profession. A report commissioned some years ago showed that lawyers in New York state donated over two million hours of pro bono service per year. This was supplemented by millions of dollars in donations to legal aid and pro bono programs. Although 2002 was a difficult year for lawyers, the more than 1600 associates who donated to generous associates are another testament to the profession's generosity. All of these numbers prove that being "greedy" does not preclude being "generous."